

ENTERED

March 08, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

2.1185 ACRES IN STARR COUNTY,
TEXAS; MARIA DEL ROSARIO G.
RAMIREZ; et al.,

Defendants.

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CIVIL ACTION NO. 7:20-cv-00344

ORDER

The Court now considers the United States' motion to continue the parties' upcoming initial pretrial conference and joint discovery/case management plan deadline.¹ The motion is labeled "opposed" because the United States was unable to confer with all Defendants.² The Defendants that conferred with the United States indicated that they are unopposed.³ As such, the Court considers it as soon as practicable.

On January 5, 2021, the Court continued the parties' initial pretrial and scheduling conference until March 16, 2021 and ordered the parties to file a joint discovery/case management plan by March 5th.⁴ The United States now seeks to continue these dates for at least thirty days in light of President Biden's January 20, 2021 proclamation ordering "a careful review of all resources appropriated or redirected to construct the southern border wall" and "the development of 'plan for the redirection of funds concerning the southern border wall.'" ⁵ The United States further provides that it will halt all activity during the sixty day period except the

¹ Dkt. No. 57.

² *Id.* at 6.

³ *Id.*

⁴ Dkt. No. 46.

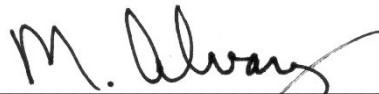
⁵ Dkt. No. 57 at 4–5 (quoting Pres. Proc. No. 10142, 86 Fed. Reg. 7225 (Jan. 27, 2021)).

joinder of Nilda Guzman and service remaining unserved parties in this case.⁶ The United States further provides that it is continuing to determine proper parties in this case in light of continuing heirship issues.⁷ The Court also notes that there is a pending opposed motion to add parties in this case that becomes ripe on March 12, 2021.⁸

The Court finds good cause in the request that this eminent domain proceeding be abated while the United States develops its plan concerning the southern international border and associated land use. Accordingly, the Court **GRANTS** the United States' motion.⁹ However, in light of the United States' representations and the continuing heirship issues in this case, the Court **CANCELS** the parties' initial pretrial conference previously scheduled for March 16th and the parties' March 5th deadline to file a joint discovery/case management plan. The Court instead **ORDERS** the parties to appear for a status conference on **Tuesday, April 13, 2021 at 9 a.m.** The Court also **ORDERS** parties to file a status report regarding the status of the case pending the sixty-day review and the identification, substitution, and service of interested parties in this case by **April 2, 2021**. The Court also **CONTINUES** the United States' deadline to substitute and serve all known interested parties in this case **until April 2, 2021**.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 5th day of March 2021.



Micaela Alvarez
United States District Judge

⁶ *Id.*, ¶ 6.d-e.

⁷ *Id.* at 2–5, ¶¶ 3–5.

⁸ Dkt. No. 56.

⁹ Dkt. No. 57.